

FILED

2019 MAR 27 PM 2:09

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

DARNELL EMORY,

Defendant.

) INDICTMENT

)
)
)
) CASE NO. **1:19 CR 170**

) Title 21, United States Code,
) Sections 841(a)(1) and (b)(1)(B);
) Title 18, United States Code,
) Sections 922(g) and
) 924(c)(1)(A)(i)

COUNT 1

(Possession with Intent to Distribute Cocaine,
21 U.S.C. §§ 841(a)(1) and (b)(1)(B))

JUDGE OLIVER

The Grand Jury charges:

1. On or about February 13, 2019, in the Northern District of Ohio, Eastern Division, Defendant DARNELL EMORY did knowingly and intentionally possess with intent to distribute approximately 2,103.3 grams of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B).

COUNT 2

(Possessing a Firearm in Furtherance of a Drug Trafficking Crime,
18 U.S.C § 924(c)(1)(A)(i))

The Grand Jury further charges:

2. On or about February 13, 2019, in the Northern District of Ohio, Eastern Division, Defendant DARNELL EMORY did possess a firearm in furtherance of a drug trafficking crime which may be prosecuted in a court of the United States, to wit: Possession

with Intent to Distribute Cocaine, in violation of Title 21, United States Code, Sections 841(a)(1), and (b)(1)(B), as charged in Count 1 of this Indictment, in violation of Title 18, United States Code, Section 924(c)(1)(A)(i).

COUNT 3

(Felon in Possession of a Firearm and Ammunition, 18 U.S.C. § 922(g))

The Grand Jury further charges:

3. On or about February 13, 2019, in the Northern District of Ohio, Eastern Division, Defendant DARNELL EMORY, having been previously convicted of a crime punishable by imprisonment for a term exceeding one year, that being: Trafficking in Drugs with Schoolyard Specification, Case Number CR-03-443495, in the Cuyahoga County Court of Common Pleas, on or about January 23, 2004, did knowingly possess in and affecting interstate commerce, three firearms, to wit: a Taurus 9mm pistol, serial number TLM79086; a Taurus .357 revolver, serial number KT18367; a Smith & Wesson, 40 caliber, serial number DUH0271; and ammunition, in violation of Title 18, United States Code, Section 922(g)(1).

FORFEITURE

The Grand Jury further charges:

4. For the purpose of alleging forfeiture pursuant to Title 21, United States Code, Section 853 (drug offense), Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c) (firearms offenses), the allegations of Counts 1 through 3, inclusive, are incorporated herein by reference. As a result of the foregoing offenses, Defendant DARNELL EMORY shall forfeit to the United States any and all property constituting, or derived from, any proceeds the defendant obtained, directly or indirectly, as the result of the drug offense; any and all of the defendant's property used or intended to be used, in any manner or part, to commit or to facilitate the commission of the drug offense; and, any and all firearms and

ammunition involved in or used in the commission of the firearms offenses; including, but not limited to, the following:

- a.) \$102,412.00 U.S. Currency possessed by DARNELL EMORY on February 13, 2019, at his residence located in Maple Heights, Ohio.
- b.) Taurus 9mm pistol, serial number: TLM79086 with ammunition, possessed by DARNELL EMORY on February 13, 2019, at his residence located in Maple Heights, Ohio.
- c.) Taurus .357 revolver, serial number: KT18367 with ammunition, possessed by DARNELL EMORY on February 13, 2019, at his residence located in Maple Heights, Ohio.
- d.) Smith & Wesson 40 caliber, serial number: DUH0271 with ammunition, possessed by DARNELL EMORY on February 13, 2019, at his residence located in Maple Heights, Ohio.

A TRUE BILL.

Original document - Signatures on file with the Clerk of Courts, pursuant to the E-Government Act of 2002.